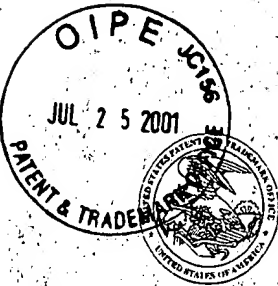


#3



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/864,508	05/24/2001	Runhai Lu	MBC-0418

CONFIRMATION NO. 2437

## FORMALITIES LETTER



\*OC000000006319041\*

23575

JOSEPH G CURATOLO, ESQ.  
RENNER KENNER GREIVE BOBAK TAYLOR & WEBER  
24500 CENTER RIDGE ROAD, SUITE 280  
WESTLAKE, OH 44145

Date Mailed: 07/19/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/30/2001 MYUSUF1 00000041 09864508

01 FC:105

130.00 OP



30/01/01  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Runhai LU                      Docket No.: MBC-0418  
Serial No: 09/864,508                      Examiner: not assigned yet  
Filed: May 24, 2001                      Group Art Unit: 1755  
For: ADMIXTURE FOR CEMENTITIOUS COMPOSITIONS

BOX MISSING PARTS  
COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

TRANSMITTAL SHEET

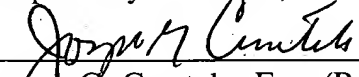
Enclosed is:

Transmittal Sheet with Certificate of Mailing and Authorization to Charge Deposit Account  
Completion of Filing Requirements with Certificate of Mailing and Authorization to Charge  
Deposit Account (4 pages - in duplicate)  
Notice to File Missing Parts (1 page)  
Executed Declaration and Power of Attorney (2 pages) with Specification Attached (26 pages)  
Statement by Attorney that Papers Attached to Declaration are a copy of those filed in the  
PTO to get a filing date (2 pages)  
Information Disclosure Statement (2 pages)  
PTO/SB/08A (1 page)  
PTO/SB/08B (1 page)  
Copies of Cited References (12 references)  
Check in the Amount of \$130.00  
Return Receipt Postcard

Authorization to Charge Deposit Account

In the event an additional fee is applicable to the filing of this document and the required fee is not enclosed, or the fee submitted is insufficient, the Commissioner is hereby authorized to charge any fees which might be required to effect the filing of this (these) document(s) to Account No. 18-0987. This authorization is being submitted in duplicate.

Respectfully submitted,

  
Joseph G. Curatolo, Esq. (Reg. No. 28,837)  
Renner, Kenner, Greive, Bobak, Taylor & Weber  
24500 Center Ridge Road, Suite 280  
Westlake, OH 44145  
Telephone: (440) 808-0011  
Facsimile: (440) 808-0657  
Attorney for Applicant

7-23-2001  
Date

Certificate of Mailing

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Laura A. Rafn  
(type or print name of person signing paper)

Laura A. Rafn  
(signature of person mailing paper)

7-23-01  
(date)



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Runhai LU                      Docket No.: MBC-0418  
Serial No: 09/864,508                      Examiner: not assigned yet  
Filed: May 24, 2001                      Group Art Unit: 1755  
For: ADMIXTURE FOR CEMENTITIOUS COMPOSITIONS

BOX MISSING PARTS  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

STATEMENT BY ATTORNEY THAT PAPERS ATTACHED TO  
DECLARATION ARE A COPY OF THOSE FILED IN PTO  
TO GET A FILING DATE

I,

Joseph G. Curatolo, Esq. (Registration No. 28,837)  
Renner, Kenner, Greive, Bobak, Taylor & Weber  
24500 Center Ridge Road, Suite 280  
Westlake, Ohio 44145  
Telephone: (440) 808-0011

state that I am the attorney for this application and that I have reviewed the

<u>1</u>	page of abstract
<u>20</u>	pages of specification
<u>5</u>	pages of claims
<u>0</u>	pages of drawings

as shown in my files to be the papers I filed in respect to the above identified application  
and have compared them to the papers attached to the declaration of

Runhai LU

for ADMIXTURE FOR CEMENTITIOUS COMPOSITIONS

Certificate of Mailing

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Laura A. Rahn  
(type or print name of person signing paper)

Laura A. Rahn  
(signature of person mailing paper)

7-23-01  
(date)

which accompanies this statement and I declare that these papers attached to the declaration(s) are a copy of the specification and any amendment thereto which I filed in the PTO in order to obtain a filing date for this application by:

- ☐ depositing by hand at the PTO
- ☐ mailing to the PTO
- ☒ mailing to the PTO by Express Mail bearing Mailing Label Number EL722631847US on May 24, 2001.

  
\_\_\_\_\_  
Signature of Attorney

7-23-2001  
\_\_\_\_\_  
Date



#3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Runhai LU                      Docket No.: MBC-0418  
Serial No: 09/864,508                      Examiner: not assigned yet  
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For: ADMIXTURE FOR CEMENTITIOUS COMPOSITIONS

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COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

COMPLETION OF FILING REQUIREMENTS

I. This replies to the Notice to File Missing Parts of Application (Formalities Letter) mailed July 19, 2001.

☒ A copy of the Notice to File Missing Parts Application-Filing Date Granted (Formalities Letter) is enclosed.

DECLARATION OR OATH

II. (a) ☒ No executed declaration or oath was filed. Enclosed is the original executed declaration or oath for this application.

OR

(b) ☐ The declaration or oath which was filed was determined to be defective. A new original oath or declaration is attached.

Certificate of Mailing

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Laura A. Rahn  
(type or print name of person signing paper)

Laura A. Rahn  
(signature of person mailing paper)

7-23-01  
(date)

Attached is a

- (c) ☐ Statement by a registered attorney that the application filed in the PTO is the application which the inventor executed by signing the declaration.
- (d) ☒ Statement that the "attached" specification is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

#### AMENDMENT CANCELING CLAIMS

- III. ☐ Cancel claims \_\_\_\_\_ inclusive.

#### TRANSMITTAL OF ENGLISH TRANSLATION OR NON-ENGLISH LANGUAGE PAPERS

- IV. ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

#### SMALL ENTITY STATUS

V. Applicant is

- ☐ a small entity  
verified statement:
- ☐ enclosed
- ☐ already filed in application
- ☒ other than a small entity

#### COMPLETION FEES

VI.

1. Filing Fee

- ☐ original patent application (37 CFR 1.16(a)- \$790; Small entity - \$395) \$ 0.00
- ☐ Design application (37 CFR 1.16(f) \$330; small entity - \$165) \$ 0.00

2. Fees for claims

- ☐ each independent claim in excess of 3  
(38 CFR 1.16(b)-\$82; small entity -\$41) \$ 0.00
- ☐ each claim in excess of 20 (37 CFR 1.16(c)-\$22;  
small entity-\$11) \$ 0.00
- ☐ multiple dependent claim(s) (37 CFR 1.16(d) - \$270;  
small entity- \$135) \$ 0.00

3. Surcharge Fees

- ☐ late payment of filing fee
- and/or
- ☒ late filing of original declaration or oath (37 CFR 1.16(e) - \$130;  
small entity - \$65); \$ 130.00

4. ☐ Petition and fee for filing by other than all the inventors  
or person not the inventor  
(37 CFR 1.17(h) and 1.47 - \$130) \$ 0.00

5. ☐ Fee for processing an application filed with a specification in a non-  
English language (37 CFR 1.17(k) and 1.52(d)-\$130) \$ 0.00

6. ☐ Fee for processing and retention of application (37 CFR 1.21(l) and  
1.53(d)-\$300) \$ 0.00

Total completion fees \$ 130.00

**EXTENSION OF TIME**

VII.

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out  
in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Extension months</u>	<u>Fee for other than small entity</u>	<u>For small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 380.00	\$ 190.00
<input type="checkbox"/> three months	\$ 870.00	\$ 435.00
<input type="checkbox"/> four months	\$ 1,360.00	\$ 680.00
<input type="checkbox"/> five months	\$ 1,850.00	\$ 925.00

Extension Fee \$ 0.00

If an additional extension of time is required please consider this a petition therefor.

Based on the extension requested in this petition, the extended period for response will expire on \_\_\_\_\_.

or

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

6. Fee Payment

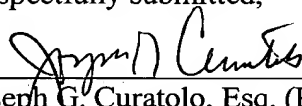
Attached is a check in the amount of \$ 130.00.

7. Fee deficiency

☒ If any additional extension and/or fee is required, charge Deposit Account No. 18-0987.

A duplicate of this transmittal is attached.

Respectfully submitted,

  
 \_\_\_\_\_  
 Joseph G. Curatolo, Esq. (Reg. No. 28,837)  
 Renner, Kenner, Greive, Bobak, Taylor & Weber  
 24500 Center Ridge Road, Suite 280  
 Westlake, Ohio 44145  
 Telephone: (440) 808-011  
 Facsimile: (440) 808-0657  
 Attorney for Applicant

7-23-2001  
 \_\_\_\_\_  
 Date